

PHYSICIAN ASSISTANT COMMITTEE

MINUTES

NOVEMBER 9, 2006
Greg Gorges Conference Room
1424 Howe Avenue
Sacramento, CA 95825

9:00 AM – 4:00 PM

1. Call to Order by Chairman (Sachs)

The meeting was called to order at 9:00 AM by Chairman Sachs.

2. Roll Call (Tincher)

Staff called the roll. A quorum was present.

Committee Members present: Robert Sachs, PA-C
 Christina Diaz
 Steve Klompus, PA
 Tina Melendrez-Meyer, PA-C
 Rebecca Grisby

Committee Members Absent: Laurie Gregg, M.
 Lorelei Sun, PA-C

Staff Present: Richard L. Wallinder, Jr., Executive Officer
 Laura Freedman, Staff Council, Dept. of Consumer Affairs
 Dianne Tincher, Enforcement Analyst
 Glenn Mitchell, Licensing Analyst
 Sabrina Peterburs, Management Services Technician
 Lynn Forsyth, Staff Services Analyst

3. Approval of Minutes – August 17, 2006 (Sachs)

The August 17, 2006 minutes were approved as written.
(m/Melendrez-Meyer, s/Diaz, c).

4. Report on California Academy of Physician Assistants Conference (CAPA) (Sachs)

Mr. Sachs reported that the CAPA Conference was well attended and that he and Mr. Bob Miller gave a presentation on physician assistant laws and regulations to conference attendees. He added that quite a number of both students and licensees stopped by the Physician Assistant Committee (PAC) booth to take informational pamphlets and ask questions regarding licensing requirements.

5. Reports

A. Executive Officer's Report (Wallinder)

Mr. Wallinder provided information on the status of the enforcement budget. He reported that the Office of the Attorney General's billing is in line at this time. He and staff are monitoring the enforcement budget closely.

In response to a question concerning the PAC's fingerprint reports, Mr. Wallinder explained that fingerprints are done in California by Live Scan, but added that the out of state applicants cannot do Live Scan, and must submit money to process both FBI and DOJ fingerprint clearances. In the future there may be an expansion of other states to include Live Scan, but for now the PAC encourages students to try to use Live Scan if at all possible, in order to expedite the application process.

In response to a question about travel, Mr. Wallinder reported that he has had to curtail enforcement spending, which impacts the travel budget because he can't justify out of state travel when the enforcement budget is expended prior to the end of the fiscal year. However, he is planning to visit the Northern California schools in 2007, and will address the issue of how to include visits to the Southern California schools as well.

Discussion ensued about the use of experts for enforcement cases. Mr. Wallinder explained that the experts currently used by the PAC provide a valuable service in reviewing complaint cases. He added that these experts perform this service at a very reasonable rate.

B. Licensing Program – activity report (Peterburs)

Ms. Hicks-Peterburs reported that from July 1 to October 1, 2006, the PAC received 136 initial applicants, compared to 117 for the previous period in 2005. On interim approval she received 32 requests, compared to 59 for the same period in 2005. Discussion ensued regarding the specific numbers reported in the summary of renewed/current licenses.

C. Diversion Program – activity report (Mitchell)

Mr. Mitchell reported that since 1990, the Diversion Program has had 60 participants, with 15 in the first year of the program. At this time the average number of participants per year is seven or eight. Discussion ensued about the benefits of this diversion program and the monitoring that occurs all over California as participants come from a variety of areas.

D. Enforcement Program – activity report (Tincher)

Ms. Tincher reported that for the period of July 1 to September 30, the PAC received 40 complaints, closed 41 complaints, with 51 pending. The majority of the complaints involve negligence, incompetence and unprofessional conduct.

Ms. Tincher stated that during this period 15 investigations were opened, 6 investigations were closed, with a total of 41 closed. Currently there are 38 probationers and the cost recovery ordered for the period was \$4,277, with \$6,379 cost recovery received. The majority of the probationers make monthly payments, so the amount received reflects that trend.

Discussion ensued and Ms. Tincher provided the members with additional information regarding her activity report.

Mr. Sachs added that he wants to put into regulation the third edition of the Disciplinary Guidelines, and will add this item to the next meeting's agenda.

Discussion ensued regarding the procedure for handling complaints, and Laura Freedman, Staff Counsel, explained the complaint process as well as the administrative hearing stage. Mr. Klompus provided information regarding providing an opinion in malpractice cases.

Discussion also ensued regarding making the public more aware of the enforcement actions. Mr. Wallinder noted that the Medical Board Newsletter is published every three months and the Hot Sheet is published monthly. Both of these publications include administrative discipline against physicians and surgeons, PAs, psychologists, and podiatrists.

6. Set Committee Dates for 2007 (Sachs)

Mr. Sachs would like to establish four meeting dates so that the committee meetings are never more than 100 days apart, with four meeting dates each year, so there will be no concern in complying with enforcement deadlines. Thursday, February 15 was chosen as the first meeting date of 2007.

7. Update on Plastic Card Licenses (Sachs)

Mr. Sachs reported that the committee does not have plastic card type licenses yet, but there are other boards that do issue them. Mr. Wallinder stated that the licensing agencies that are providing these licenses to their licensees are doing such within their budgets. The cost for the committee to provide these licenses could impact programs meant to protect the public. He added that the Department of Consumer Affairs is looking into providing these licenses. He promised to keep members apprised of the progress of this item.

8. Discussion Concerning How to Get Laws and Regulations Information to PAs (Sachs)

Mr. Sachs noted that the PAC website contains a copy of the laws and regulations, which is downloadable. Historically, the PAC has printed the laws and regulations every few years, first in a booklet, then in a pamphlet. However, in the last couple of years the printing was discontinued because of cost. During presentations to physician assistant training programs, information is given to students on how to access the website and print a copy of the laws and regulations. After discussion with Mr. Wallinder, members suggested providing an insert with the initial and renewal licensee packets that contains information about the availability of the laws and regulations on the committee's website. The weight of the document is light, which may not significantly increase postage costs.

9. Update on Moving Physician Assistant Committee's Office from Howe Avenue to Evergreen Avenue (Wallinder)

Mr. Wallinder reported that a decision was made to relocate the boards and committees housed at the Howe Avenue site, and a search was conducted. A location was selected which is about one and one half miles to the West on Evergreen Avenue. The square foot lease amount has a ceiling cost is \$1.80, and the move is scheduled for September 2007. The space allotted for the PAC is smaller than the current site because of the previous loss of staff, but it adheres to the State Administrative Manual requirements for cubicle size and office space. There will be more file space for records retention, and the entrance to the building will be accessed with a keycard. The building site will have a guard, and bulletproof glass staff protection. The building is three stories, with the PAC housed on the first floor. Mr. Wallinder reported that there will be a large central meeting room, and the request was made to install a full sound system, with a raised meeting area. A video conferencing center will be available as well, making it a state of the art facility. The current telephone system will be taken to the new office.

10. Physician Assistant Committee Legislative Proposals for DCA Omnibus Bill (Action) (Sachs)

After a brief discussion, a motion was made to amend the Physician Assistant Practice Act to include the authority to require physician assistants who are on probation to pay for the costs of their probation monitoring. (m/Klompus, s/Grisby, c).

After a brief discussion, members approved the motion to amend the Business and Professions Code to prescribe varying times as to when physician assistants may petition for reinstatement or modification of penalty. (m/Klompus, s/Melendrez-Meyer, c).

11. Approval of Passing Score for PA initial licensing examinations for 2007. and approval of dates and locations for PA initial licensing examination for 2007. (Sachs)

A motion was made to approve the passing score of 350 for initial examinations and approve the dates/locations for the physician assistant initial licensing examinations for 2007 as approved by the National Commission for Certification of Physician Assistants. (m/Melendrez-Meyer, s/Klompus, c).

12. Election of Physician Assistant Committee officers. (Action) (Sachs)

Robert Sachs was elected Chairman. (m/Klompus, s/Diaz, c).
Steve Klompus was elected Vice-Chairman. (m/Sachs, s/Diaz, c).

13. Items for Next Meeting (Sachs)

Members suggested the following items for future meetings:

- A. Plastic License
- B. Model Disciplinary Guidelines with Steve Klompus and Dianne Tincer appointed to the sub-committee to review and advise.
- C. Speakers for next meeting or next year include APAC
- D. Diversion
- E. Insurance Commissioner's Office to speak on HMOs and reimbursement, public safety issues, PA utilization, and access. Sub-committee to include Christina and Rick will work on finding an appropriate speaker from either the insurance commission or MediCal or the Governor's Office. Giving Care to the medically underserved areas is also a topic.
- F. Standardizing a Power Point for speakers or board members who represent the committee in public presentations.